

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel, W.A. DREW)	
EDMONDSON, in his capacity as ATTORNEY)	
GENERAL OF THE STATE OF OKLAHOMA et al.,)	
)	
Plaintiff,)	Case No. 4:05-CV-329-JOE-SAJ
)	
v.)	
)	
TYSON FOODS, INC et al.,)	
)	
Defendants,)	
)	
and)	
)	
PETERSON FARMS, INC., et al.)	
)	
Third-Party Plaintiffs,)	
)	
v.)	
)	
BRIAN R. BERRY d/b/a TOWN BRANCH GUEST)	
RANCH, et al.,)	
)	
Third-Party Defendants.)	

**PLAINTIFF'S WITHDRAWAL
OF MOTION FOR ADDITIONAL TIME TO FILE MOTIONS TO STRIKE
PURSUANT TO RULE 12(f) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

COMES NOW the Plaintiff, the State of Oklahoma, ex rel. W.A. Drew Edmondson, in his capacity as Attorney General of the State of Oklahoma, and Oklahoma Secretary of the Environment, C. Miles Tolbert, in his capacity as the Trustee for Natural Resources for the State of Oklahoma under CERCLA, and respectfully withdraws its motion for an extension of time in which to file motions to strike pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, which motion was filed on October 21, 2005, and may be found at Docket No. 111.

The Plaintiff's withdrawal of its motion will not impact any scheduled trial date or other deadline as no order has been entered by the Court regarding said motion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. David Riggs", is written over a horizontal line.

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THE STATE OF OKLAHOMA

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2005, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the electronic records currently on file, the Clerk of Court will transmit a Notice of Electronic filing to the following ECF registrants:

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I further certify that on October 31, 2005, I served the foregoing document by U.S. Postal Service on the following, who are not registered participants of the ECF System:

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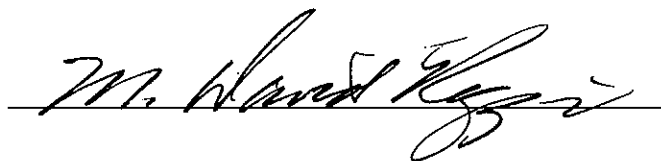
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